

1 ROBERT W. FREEMAN
2 Nevada Bar No. 3062
3 Robert.Freeman@lewisbrisbois.com
4 LEWIS BRISBOIS BISGAARD & SMITH LLP
5 6385 S. Rainbow Boulevard, Suite 600
6 Las Vegas, Nevada 89118
7 702.893.3383
8 FAX: 702.893.3789
9 *Attorneys for Defendants*
10 The Las Vegas Metropolitan Police Department
11 and Officers Michael Donovan, Christian
12 Parquette and David Brisendine

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AUBREY C. AVERY, JR.

Plaintiff,

vs.

15 THE STATE OF NEVADA, EX REL
16 CLARK COUNTY, EX REL, LVMPD,
17 OFFICER DONOVAN, SHERIFF D.
GILLESPIE, ET AL., LVMP OFFICER C.
PARQUETTE #13937, LVMP OFFICER
BRISENDINE #14003.

Defendants.

CASE NO. 2:16-cv-1774-GMN-EJY

**DEFENDANTS' OFFICER MICHAEL
DONOVAN, OFFICER CHRISTIAN
PARQUETTE AND OFFICER DAVID
BRISENDINE'S REQUEST FOR
EXCEPTION OF ATTENDANCE
REQUIREMENT AT THE SETTLEMENT
CONFERENCE SCHEDULED FOR JULY
31, 2020**

20 COMES NOW, Defendants, Las Vegas Metropolitan Police Department and Officers
21 Michael Donovan, Christian Parquette and David Brisendine, (hereinafter referred to as
22 "Defendants") by and through their attorney of record, Robert W. Freeman, Esq., and hereby file
23 this Request for Exception of Attendance Requirement at the Settlement Conference scheduled for
24 July 31, 2020.

25 This matter was referred for a settlement conference by the Court. The order requires
26 attendance of the individually named defendants, however, they respectfully request an attendance
27 exception. The exception is based upon the following factors:

- The individual defendants do not have any authority to settle the case.

- The settlement conference will be attended by a representative of the Las Vegas Metropolitan Police Department with authority to settle the case.
- The health concerns created by the Covid-19 pandemic create a situation where attendance of the individual Defendants without settlement authority is unreasonably risky.

Based upon the above, the individual Defendants respectfully requests that they be excused from the Settlement Conference.

DATED this 16th day of June, 2020.

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Robert W. Freeman
Robert W. Freeman, Esq.
Nevada Bar No. 3062
6385 S. Rainbow Blvd, Suite 600
Las Vegas, Nevada 89118
Attorneys for Defendants

IT IS SO ORDERED.

Elayna J. Zouckar
UNITED STATES MAGISTRATE JUDGE

Dated: June 17, 2020